



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/698,912	
	Filing Date	October 31, 2003	
	First Named Inventor	Cheryl Lillienthal	
	Art Unit	1761	
	Examiner Name		
Total Number of Pages in This Submission	43	Attorney Docket Number	MAT 318

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Anton E. Skaugset Kolisch Hartwell, P.C.
Signature	
Date	March 8, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Pamela A. Knight		
Signature		Date	March 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

March 8, 2004

CHERYL LILLIENTHAL, DEBBIE L. LOHMEYER,  
JULENE A. MRZYWKA and THEODORE R. HERRERA

Serial No. : 10/698,912  
Filed : October 31, 2003  
For : FOOD FORMULATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

## CONTENT OF DISCLOSURE

This Information Disclosure Statement includes (1) 3 pages of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

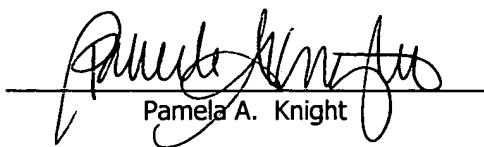
## TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

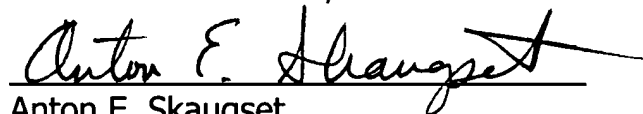
### CERTIFICATE OF MAILING

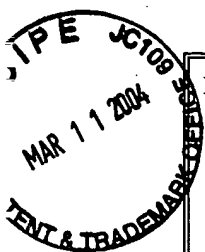
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on March 8, 2004.

  
Pamela A. Knight

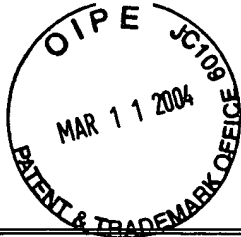
Respectfully submitted,

KOLISCH HARTWELL, P.C.

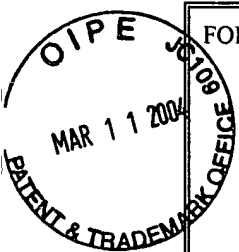
  
Anton E. Skaugset  
Registration No. 38,617  
Customer No. 23581  
520 S.W. Yamhill Street, Suite 200  
Portland, Oregon 97204  
Telephone: (503) 224-6655  
Facsimile: (503) 295-6679  
Agent for Applicants



FORM PTO-1449			DOCKET NUMBER MAT 318		APPLICATION NUMBER 10/698,912	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			APPLICANT(S) Cheryl Lillienthal et al.			
			FILING DATE October 31, 2003		GROUP ART UNIT 1761	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	3,393,074	7/16/68	Ehrlich			
	3,409,442	11/5/68	Block et al.			
	3,808,730	5/7/74	Cooper et al.			
	4,163,806	8/7/79	Callen et al.			
	4,201,794	5/6/80	Sumitani			
	4,206,244	6/3/80	Schenk			
	4,401,685	8/30/83	Brown et al.			
	4,407,836	10/4/83	Bosco et al.			
	4,409,255	10/11/83	Danielson et al.			
	4,427,709	1/24/84	Guhl et al.			
	4,430,350	2/7/84	Tresser			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	1,105,922	3/13/68	Great Britain			X
	JP8154567	6/18/96	Japan			X
OTHER DOCUMENTS						
	Product Alert, Vol. 29, No. 2, Elzer Backwaren No Bake Cake Mix					
	Walton Dehydrated Mixes, <a href="http://waltonfeed.com/">http://waltonfeed.com/</a> , copyright 2001, printed April, 2002					
	Dehydrated Foods from Backpacker's Pantry and REI, <a href="http://www.rei.com/">http://www.rei.com/</a> , printed April, 2002					
EXAMINER			DATE CONSIDERED			

SHEET 2 OF 3

FORM PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER MAT 3I8		APPLICATION NUMBER 10/698,912		
		APPLICANT(S) Cheryl Lillienthal				
		FILING DATE October 31, 2003		GROUP ART UNIT 1761		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	4,476,145	10/9/84	Hardie-Muncy et al.			
	4,588,602	5/13/86	Brown et al.			
	4,594,255	6/10/86	Wilson et al.			
	4,615,896	10/7/86	Brown et al.			
	4,615,897	10/7/86	Brown et al.			
	4,615,898	10/7/86	Brown et al.			
	4,623,549	11/18/86	Katt et al.			
	4,664,927	5/12/87	Finkel			
	4,732,772	3/22/88	Nolte			
	4,746,527	5/24/88	Kuypers			
	4,812,318	3/14/89	Finkel			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
	Jell-O No Bake Desserts, <a href="http://www.kraftfoods.com/jello/jlo_family_nobakes.html/">http://www.kraftfoods.com/jello/jlo_family_nobakes.html/</a> printed April, 2002					
	AlpineAire Foods, <a href="http://www.alpineairefoods.com/">http://www.alpineairefoods.com/</a> , printed April, 2002					
EXAMINER		DATE CONSIDERED				



FORM PTO-1449			DOCKET NUMBER MAT 318		APPLICATION NUMBER 10/698,912	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			APPLICANT(S) Cheryl Lillienthal et al.			
			FILING DATE October 31, 2003		GROUP ART UNIT 1761	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	4,853,235	8/1/89	Tomomatsu			
	4,980,192	12/25/90	Finkel			
	5,246,727	9/21/93	Finkel			
	5,250,316	10/5/93	Harris			
	5,314,373	5/24/94	Caveza et al.			
	5,783,239	7/21/98	Callens et al.			
	5,853,785	12/29/98	Nayyer et al.			
	5,958,481	9/28/99	Hodges			
	6,231,901	5/15/01	Sharkasi et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
EXAMINER				DATE CONSIDERED		